

THE
T H R E E
CHIEF SAFEGUARDS OF SOCIETY,

CONSIDERED IN

A S E R M O N

AT

THE MELODEON, ON SUNDAY, JULY 6, 1851.

BY

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S E R M O N .

“ R I G H T E O U S N E S S E X A L T E T H A N A T I O N . ” — P R O V . x i v . 3 4 .

THIS is the first Sunday after the anniversary of the national birth-day. It seems proper, on this occasion, to go beyond matters merely personal, and affecting us only as individuals. I will speak of the duties of man in a wider sphere; of political affairs. So I ask your attention to a Sermon of the Safeguards of Society. I choose this subject because some men profess a fear that American society is in danger, and because some persons are busily teaching doctrines which seem hostile to the very design of society itself. I shall not speak of politics as economy, but as morality, and look at the affairs of state from a religious point of view.

We are often told, that human society is of divine appointment, — society meaning the mass of men living together in a certain fellowship. If this means that man is by nature a social being, and in their progressive development men must unite and form societies, then, it is true, society is of divine appointment. But so is a farm; for man is by nature and position an agricultural being, and in their progressive development men make farms and practise agriculture. Agriculture is as necessary as society. But it does not follow from this, that the Egyptian, the Flemish,

or the American mode of agriculture is of divine appointment, and men bound by God to practise that, or to limit themselves thereto; and it no more follows that the Egyptian, the Flemish, or the American mode of society is of divine appointment, and men bound by God to limit themselves to it. It would be thought ridiculous to claim divinity for Dutch farming, or any other special mode of farming; but it is just as ridiculous to claim divinity for Dutch society, or any other society. The farm and the society are alike and equally the work of men.

Then we are often told, that human government is of divine appointment, and men morally bound to submit to it, — government being used as a collective term to include the political, ecclesiastical, or social establishments of a people, and the officers who administer them. If this means, that, at a certain stage of man's progressive political development, it is necessary to have certain political, ecclesiastical, and social establishments, such as a monarchy or an aristocracy, with persons to administer them, then it is true, and government is of divine appointment. But the fence of a farm is just as necessary to agriculture, at a certain stage of agricultural development, as government to society. However, it does not follow from this, that a stone wall or a rail-fence is of divine appointment; and it no more follows that a monarchy or an aristocracy is of divine appointment. It would be thought ridiculous for a farmer to claim divinity for his fence; it is just as absurd for a politician to claim it for his government. Both are alike and equally the work of men.

Again it is said that human statutes are of divine appointment, and therefore binding on the conscience of men. If this means, that, at a certain stage of social and political development, men must form certain rules for social and political conduct, then it is true, and human statutes are of divine appointment. But rules for agricul-

tural conduct are just as necessary for the farm and the garden as political rules for society and the state, and so equally divine. But it does not follow from this, that the agricultural rules for the farm and the garden laid down by Columella the Roman, or Cobbett the Briton, are of divine appointment; and it no more follows that the political rules for society and the state laid down by the men of New England or the men of New Holland, — by men “fore-ordained” at birth to be lawgivers, or by men “elected” in manhood to make laws, — are of divine appointment. It would be thought ridiculous for a British farmer to claim divinity for Tusser’s “Five Hundred Points of Good Husbandry;” but it is just as absurd for a British politician to claim divinity for the British Constitution, or the statutes of the realm. Rules for farming the land and rules for farming the people are alike and equally the work of men.

Still further it is said that human officers to execute the statutes, administer the government, and sustain society, are also of divine appointment; and hence we are morally bound to employ, honor, and obey them. If this means, that, at a certain stage of man’s social, political, and legal development, it is necessary to have certain persons whose official business it shall be to execute those statutes, then it is true, and human officers are of divine appointment. But it is just as necessary to have certain persons whose official business it shall be to execute the rules for farming the land; and so the agricultural officers are just as much of divine appointment as the political. But it does not follow that ploughman Keith and reaper Gibson are such by the grace of God, and therefore we morally bound to employ, honor, and obey them; and it no more follows that King Ferdinand or President Fillmore are such by the grace of God, and we morally bound to employ, honor, and obey them. It would be thought ridiculous for Keith and Gibson to claim divinity for their function of ploughman or

reaper; but it is equally absurd for Fillmore and Ferdinand to claim divinity for their function of president or king. The farm-office and the state-office are alike and equally the work of men.

Yet it is often taught that society, government, statutes, and officers are peculiarly and especially of divine appointment, in a very different sense from that mentioned just now; and therefore you and I are morally bound to respect all the four. We are told this by men who would be astonished if any one should claim divine appointment for farm-fences, rules of husbandry, for ploughmen and reapers. This is sometimes done by persons who know no better.

In conformity with that fourfold claim of divinity for things of human appointment, we are told that the great safeguard of man's social welfare is this,—entire subordination of the individual to the community, subordination in mind and conscience, heart and soul; entire submission to the government; entire obedience to the statute; entire respect for the officer; in short, the surrender of the individual to the state, of his mind to public opinion, of his conscience to the public statute, of his religion to some bench of attorneys, and his will to the magistrate. This fourfold subordination of the individual is demanded, no matter what the community, the government, the statutes, or the officers may be. Let us look a little more narrowly into this matter, and see what is the purpose, the end, and aim of individual human life, and of social human life; then we may be the better able to determine what are the safeguards thereof.

What is man here on earth to accomplish? He is to unfold and perfect himself, as far as possible, in body and spirit; to attain the full measure of his corporeal and spiritual powers, his intellectual, moral, affectional, and religious powers; to develop the individual into a complete man.

That, I take it, is the purpose, the end, the scope, and final cause of individual life on earth. Accordingly, that is the best form of individual life which does this most completely; that worst which does it least. He is the most fortunate man who gets the greatest development of his body and his spirit in all their several and appropriate functions: all else is means thereto, and this the end thereof. Ease, wealth, honor, fame, power, and all the outward things men wish for, and all such things as are valuable, are means to this end, no more. Wise men do not account him lucky who comes into the world born to riches, distinction, thrones of power; but him who goes out of it wise, just, good, and holy.

Accordingly, all else is to be subordinated to the attainment of this purpose; this to nothing. But what faculties of the individual are to rule and take precedence? The highest over the lowest; the lasting over the transient; the eternal over the perishing. I will wound my hand to save my head, subordinating the less to the greater. Not barely to live, but to live nobly, is my purpose. I will wound or sacrifice my body to save the integrity of my spirit, to defend the rights of my mind, of my conscience, of my affections, of my religious faculty,—my soul. Conscience, when awakened, commands this. Prophets of the Old Testament, and apostles of the New Testament, martyrs of all the churches under heaven, are historical witnesses to this instinct of human nature. Millions of soldiers have been found ready to sacrifice the life of their body to the integrity of their spirit: they would die, but not run.

Man is social by nature, gregarious by instinct: he is social with self-conscious will. To develop the individual into the perfect man, men must mix and mingle. Society is the condition of individual development. Moses or Newton, living all alone, would not have attained the human dignity of a clown or a savage; they would never have mastered

articulate speech: the gregarious elephant, the lonely eagle, would surpass these men, born to the mightiest genius. Society, companionship of men, is both a necessity and a comfort, a good in itself, a means to other good.

As the great purpose of human life is to develop the individual into the complete and perfect man in body and spirit, so the purpose of society is to help furnish the means thereto; to defend each, and furnish him an opportunity and all possible help to become a complete and perfect man. Individuals are the monads, the primitive atoms, of which society is composed: its power, its perfection, depend primarily on the power and perfection of the individuals, as much so as the weight of a pendulum or of Mount Sheehallin depends on the primitive atoms thereof. Destroy the individuality of those atoms, human or material,—all is gone. To mar the atom is to mar the mass. To preserve itself, therefore, society is to preserve the individuality of the individual.

Such is its general purpose: this involves several particulars. One is purely negative in its form,—to prevent men from hurting one another. In early ages, that was the chief business of society which men had become conscious of. Society was recognized as an instrument to help accomplish two things: first, to defend itself against other societies or collections of men, and so preserve the integrity of the mass. This was done by means of armies, forts, fleets, and all the artillery of war. The next thing was, within itself, to defend the many feeble from the few that are strong, or the few strong from the many weak; to preserve the integrity of the individuals, the atoms which compose the mass. This was done by statutes of prohibition, declaring, "Thou shalt not." This defence from foreign or domestic harm involves two things: first, the protection of the person, the substance of the community or the individual; and, next, the protection of the property, the acci-

dent of the social or individual person. All this may be comprised in one term, as the negative function of society, appearing in two modes, as it protects from foreign or domestic hurt. This function is performed consciously: one community says to other communities, "You shall not hurt me," and to its own members, "You must not hurt one another," and knows what it is about in so doing. Some of the nations of Europe have scarcely got beyond this; their government seems to acknowledge no function but this negative one.

Then comes the positive function of society. That is to furnish opportunities for the mass, as such, to develop itself; and the individual, as such, to develop himself, individually and socially, and exercise all his faculties in his own way; subject only to this rule, that he hurts nobody else. See how this is done abroad between society and society. This community agrees with others, that they, mutually, shall not only not injure each other, but positively help one another. "Protect my citizens by your statutes, whilst in your land; and I will do the same with yours," says Belgium to France. That is agreed upon. "Let my ships into your harbors," says England, "come whence they may, and with what they may bring; and I will do the same by yours." America says, "Agreed;" and it is so, to the good of both. Thus each Christian nation secures for itself opportunities for development in all other Christian countries, and so helps the person, and also his property. This is done by treaties; and each nation has its ministers and consuls to lie abroad, and help accomplish this work. This is the foreign part of the positive functions of society, and is destined to a great expansion in times to come.

See how it is done at home, and the whole furnishes positive helps to the special parts. Society establishes almshouses, hospitals, schools, colleges, churches, and post-offices; coins money as a standard measure of all values;

builds roads of earth, of water, or of iron ; carries letters ; surveys the land ; prints books telling of its minerals, plants, and living things that swim or creep or fly or walk ; puts light-houses along the coast, and breakwaters to protect a port. Thus society furnishes its members a positive help for the mind, body, and estate ; helps the individual become a complete and perfect man, by affording him facilities for the development of his substance, and the possession of his accidents. This is the domestic part of the positive function of society. Some men, as the socialists in France, wish to extend it much further, making the government patriarchal to bless,—not, as of old, despotic to curse. This also is done with a distinct self-consciousness of the immediate end and the means thereto.

But the greater part of this positive work is done with no such distinct consciousness thereof : it is brought about by the men living together ; is done, not by government, but by society. The presence of numbers increases the intellectual temperature, so to say, and quickens the social pulse. Machines are invented, science extended, new truths in morals and religion are found out, literature and art create new loveliness, and men become greater and more noble, while society takes no need ; and so all are helped. The government often only checks this work.

By most subtle contrivances, though not of you and me, a provision is made for the great. Without willing it, we prepare a cradle for every giant, ready to receive him soon as he is born. A young woman has a rare genius for music ; no legal and constitutional provision has been made for her, society having no instinctive and prophetic consciousness of such an advent ; but men with music in their souls, and spell-bound by their ears, are drawn together, and encourage her sweet soul into all the wildest, sweetest, and most bewildering witchery of song. If some lad of marvellous genius is born in the woods, men seek him out,

and train him up with the accumulated wisdom of ten thousand years, that this newest diamond from the mine of God may be appropriately set. So it is with a thousand other things; and thus society calls out the dainties of the cook, the machine of the inventor, the orator's persuasive power, the profound thought of the thinker, the poet's vision and his faculty divine, the piety of the highest saint God sends. Thus, spite of all the Herods in Jerusalem, a crown is got ready for him that is born king of the world; wise men are always waiting for the star which goes before the new-born Son of God; and, though that star stand still over a stable, they are ready on the spot with their myrrh, their frankincense, and their gold. Society has its shepherds watching their flock, and its angels to proclaim the glad tidings of great joy to all mankind.

While society, in its positive function, thus helps the strong, it provides also for the weak, and gives them the benefit of the strong man's protection: thus the individuality of the ablest and the most feeble is defended at the same time. This is done in part by private charity; in part also by the organized public charity. The sick, the poor, the crazy, the lame, the blind, the deaf, are sacredly cared for. Even the fool is not left in his folly, but the wisdom of society watches over his impotent and wretched brain. Thus the two extremes of the human race are provided for; the man of vast genius and a tough body gets his culture and his place; and from his station in the senate, the pulpit, or the closet, sends out his thunder, his lightning, or his sunshine over all the land, to save the people and to bless; while the lame man, the lunatic woman, the blind boy, the poor and sickly little girl, born with the scrofulous worm feeding on her cheek,—all have the benefit of the manifold power of society. The talent of a Webster, the genius of an Emerson, the frailty of an unacknowledged child left on the doorsteps at night, to die next month in

the almshouse, all have their place in the large cradle of society, whose coverlet wraps them all,—the senator, the poet, and the fool. Attend a meeting of the alumni of Harvard College, of the heads of the railroads or factories of New England, a convention of merchants, naturalists, metaphysicians, of the senate of the nation, you see how society gives place and protection to the best heads in the state. Then go to some House of Industry, and see the defence afforded for the worst; you see what a wonderful contrivance society itself is. I say a contrivance, yet it is not the contrivance chiefly of Solon or Charlemagne, but of Almighty God; a contrivance for three things,—to prevent men from hurting one another in person or property; to give the strong and the weak the advantage of living together; and thus to enable each to have a fair chance for the development of his person and the acquisition of property. The mechanism of society, with its statical and dynamical laws, is the most marvellous phenomenon in the universe. Thereby we are continually building wiser than we know, or rather the providence of the Father builds by us, as by the coral insect of Pacific Seas, foundations for continents which we dream not of.

These three things are the general end of society, and indispensable to the purpose of life. To attain them, there must be a certain amount of individual variety of action, a certain amount of social unity of action; and the two must be to a certain degree balanced into equilibrium. The larger the amount of individual variety and social unity of action, the more complete the equilibrium of the two, the more completely is the purpose of individual and social life accomplished and attained: the atom is not sacrificed to the mass, nor the mass to the atom; the individual gains from being a citizen, the citizen from his individuality; all are better for each, and each for all.

To accomplish this purpose, men devise certain establish-

ments, — institutions, constitutions, statutes, human machinery for attaining the divine end in the individual and the social form. But here is the condition of existence which all these establishments must conform to. Every thing in nature has a certain constant mode of action: this we call a law of nature. The laws of nature are universal, unchangeable, and perfect as God, whose mind they in part express. To succeed in any thing, we must find out and keep the natural laws relating thereto. There are such laws for the individual, — constant modes of action which belong to human nature, writ therein by God. My mind and conscience are the faculties by which I learn these laws. Conscience perceives by instinct; mind sees afterwards by experiment. There are also such laws for society, constant modes of action, which belong to human nature in its social form. They are also written in the nature of man. The mind and conscience of the individuals who make up the society are the faculties by which these laws likewise are found out. These laws, constant modes of individual or social action, are the sole and exclusive basis of human establishments which help attain the end of individual and social life. What conforms to these natural laws is called right; what conforms not is wrong. A mill-dam or a monument must conform to the statical laws of matter, or not serve the purpose it was meant for; a mill or a steam-engine must conform to the dynamical laws of matter, or it is also useless. So all the social establishments of mankind, designed to further the positive or negative functions of society, must conform to the laws of human nature, or they will fail to achieve the purposes of individual and social life.

As I come to individual self-consciousness, I give utterance to these natural laws, or my notion of them, in certain rules of conduct which I make for myself. I say, "This will I do, for it is right; that will I not do, for it is wrong."

These are my personal resolutions, personal statutes. I make them in my high act of prayer, and in my common life seek to conform thereto. When I rise higher, in another act of prayer which has a greater experience for its basis and so represents more life, I shall revise the old rules of conduct, and make new ones that are better. The rules of conduct derive all their objective and real value from their conformity with the law of God writ in my nature; all their subjective and apparent value, from their conformity to my notions of the law of God. The only thing which makes it right and an individual moral duty for me to keep my own resolutions, is that they themselves are right, or I believe them so. Now, as I see they are wrong, or think I see it, I shall revise and change them for better. Accordingly, I revise them many times in my life; now by a gradual change, the process of peaceful development; now by a sudden change, under conviction of sin, in penitence for the past, and great concern of mind for the future, by the process of personal revolution. But these rules of conduct are always provisional,—my ladder for climbing up to the purposes of individual life. I will throw them away soon as I can get better. They are amenable subjectively to my notion of right, and objectively to right itself,—to conscience and to God.

As the individuals, all, the majority, or some controlling men, come to social self-consciousness, they express these natural laws, or their notion thereof, in certain rules of social conduct. They say, "This shall all men do, for it is right; that shall no man do, for it is wrong." The nation makes its social resolutions, social statutes, in its act of prayer; for legislation is to the state what prayer is to the man,—often an act of penitence, of sorrow, of fear, and yet of faith, hope, and love. When it rises higher, it revises and makes better rules of conduct: they derive all their objective and real value from their conformity with the

law of God; all their subjective and apparent value, from their conformity with the nation's notion thereof. The only thing which makes it right, and a social moral duty for society, or any of its members, to keep these social statutes, is that they are right, or thought so. In the progress of society, its rules of conduct get revised a good many times: now it is done by gradual, peaceful development; now by sudden and stormy revolutions, when society is penitent for the sin of the past, and in great anxiety and concern of mind through fear of the future. These social statutes are only provisional, to help men climb up to the purpose of social life. They are all amenable subjectively to the notion of right; objectively to right itself,— to the conscience of the individuals and to God.

Then society appoints officers whose special conventional function is to see to the execution of these social rules of conduct. They are legally amenable to the rules of conduct they are to carry out; socially amenable to the community that appoints them; individually amenable to their own conscience and to God.

To sum up all this in one formula:— Officers are conventionally amenable to society; society, with its officers and its rules of conduct, amenable to the purpose of society, the design of individual life, to the individuals that compose it; individuals, with their rules of conduct, amenable each to his own conscience; and all to the law of the universe, to the eternal right, which represents the conscience of God. So far as society is right, government right, statutes right, officers right, all may justly demand obedience from each: for though society, government, statutes, and officers are mere human affairs, as much so as farms, fences, top-dressing, and reapers, and are as provisional as they; yet right is divine, is of God, not merely provisional and for to-day, but absolute and for eternity. So, then, the moral duty to respect the government, to keep the statutes, to

obey the officers, is all resolvable into the moral duty of respecting the integrity of my own nature, of keeping the eternal law of nature, of obeying God. If government, statutes, officers, command me to do right, I must do it, not because commanded, but because it is right; if they command me to do wrong, I must refuse, not because commanded, but because it is wrong. There is a constitution of the universe: to keep that is to preserve the union between man and man, between man and God. To do right is to keep this constitution: that is loyalty to God. To keep my notion of it is loyalty to my own soul. To be false to my notion thereof is treason against my own nature; to be false to that constitution is treason against God. The constitution of the universe is not amenable to men: that is the law of God, the higher law, the constant mode of action of the infinite Father of all. In that He lives and moves, and has His being.

It is now easy to see what are the safeguards of society, the things which promote the end and aim of society, — the development of the body and spirit of all men after their law, — and thus help attain the purpose of individual life. I will mention three of these safeguards, in the order of their importance.

I. First of all is **RIGHTEOUSNESS IN THE PEOPLE**; a religious determination to keep the law of God at all hazards; a sacred and inflexible reverence for right; a determined habit of fidelity each to his own conscience. This, of course, implies a hatred of wrong; a religious and determined habit of disobeying and resisting every thing which contradicts the law of God, of disobeying what is false to this and our conscience. There is no safeguard for society without this. It is to man what impenetrability, with the other primary qualities, is to matter. All must begin with the integral atoms, with the individual mind and conscience; all be tried by that test, personal integrity, at last. What is false to myself I

must never do,—at no time, for no consideration, in nowise. This is the doctrine of the higher law; the doctrine of allegiance to God; a doctrine which appears in every form of religion ever taught in the world; a doctrine admitted by the greatest writers on the foundation of human law, from Cicero to Lord Brougham. Even Bentham comes back to this. I know it is nowadays taught in the United States, that, if any statute is made after the customary legal form, it is morally binding on all men, no matter what the statute may be; that a command to kidnap a black man, and sell him into slavery, is as much morally binding as a command for a man to protect his own wife and child. A people that will practically submit to such a doctrine is not worthy of liberty, and deserves nothing but law, oppressive law, tyrannical law; and will soon get what it deserves. If a people has this notion, that they are morally bound to obey any statute legally made, though it conflict with public morals, with private conscience, and with the law of God, then there is no hope of such a people; and the sooner a tyrant whips them into their shameful grave, the better for the world. Trust me, to such a people the tyrant will soon come. Where the carcass is, thither will the vultures be gathered together. Let no man put asunder the carrion and the crow. So much for the first and indispensable safeguard.

II. The next is derivative therefrom, **RIGHTEOUSNESS IN THE ESTABLISHMENTS OF THE PEOPLE.** Under this name I include three things, namely, institutions, constitutions, and statutes. Institutions are certain modes of operation, certain social, ecclesiastical, or political contrivances for doing certain things. Thus an agricultural club is a social institution to help farming; a private school is a social institution for educating its pupils; a church is an ecclesiastical institution for the promotion of religion; an aristocracy is a political institution for governing all the people by means of a few,

and for the sake of a few ; a congress of senators and representatives is a legislative institution for making statutes ; a jury of twelve men, a judicial institution to help execute the statutes ; universal suffrage is a democratic institution for ruling the state.

Constitutions are fundamental rules of conduct for the nation, made by the highest human authority in the land, and only changeable thereby, determining what institutions shall be allowed, how administered, by whom and in what manner statutes shall be made.

Statutes are particular rules of conduct to regulate the action of man with man, of individuals with the state, and of the state with individuals.

Statutes are amenable to the constitutions ; the constitutions to the institutions ; they to the people ; all subjectively to the conscience of the individual, and objectively to the conscience of God.

Establishments are the machinery which a people contrives wherewith to carry out its ideas of the right or the expedient. In the present state of mankind, they are indispensable to accomplish the purpose of individual life. There are indeed a few men who for their good conduct, after they are mature, require no human laws whatever. They regulate themselves by their idea of right, by their love of truth, of justice, of man and God. They see the law of God so clear that they need no prohibitive statutes to restrain them from wrong. They will not lie nor steal, though no statutes forbid, and all other men both lie and steal ; not if the statutes command falsehood and theft. These men are saints. The wealth of Athens could not make Aristides unjust. Were all men like Jesus of Nazareth, statutes forbidding wrong would be as needless as sails to a shark, a balloon to a swallow, or a railroad to the lightning of heaven. This is always a small class of men, but one that continually increases. We all look to the time when this will include all

men. No man expects to find law-books and courts in the kingdom of heaven.

Then there is a class who need these statutes as a well-known rule of conduct to encourage them to do right, by the assurance that all other men will likewise be made to do so, even if not willing. They see the law of God less clear and strong, and need human helps to keep it. This class comprises the majority of mankind. The court-house helps them, though they never use it; the jail helps them, though never in it. These are common men. They are very sober in Connecticut; not very sober in California.

Then there is a third class who will do wrong, unless they are kept from it by punishment or the fear thereof. They do not see the law of God, or will not keep it if they do. The court-house helps them; so does the jail, keeping them from actual crime while there, deterring while out of it. Take away the outward restraints, their seeming virtue falls to pieces like a barrel without its hoops. These are knaves. I think this class of men will continually diminish with the advance of mankind; that the saints will grow common, and the knaves get scarce. Good establishments promote this end; those of New England, especially the schools, help forward this good work, to convert the knaves to common men, to transfigure the common men to saints. Bad establishments, like many in Austria, Ireland, and South Carolina, produce the opposite effect: they hinder the development of what is high and noble in man, and call out what is mean and low; for human laws are often instruments to debauch a nation.

If a nation desires to keep the law of God, good establishments will help the work; if it have none such, it must make them before it can be at peace. They are as needful as coats and gowns for the body. Sometimes the consciousness of the people is far in advance of its establishments, and there must be a revolution to restore the

equilibrium. It is so at Rome, in Austria and Prussia. All these countries are on the brink of revolution, and are only kept down by the bayonet. It was so here seventy-five years ago, and our fathers went through fire and blood to get the establishments they desired. They took of the righteousness in the people, and made therefrom institutions, constitutions, and statutes. So much for the second and derivative safeguard.

III. The third is **RIGHTEOUSNESS IN THE PUBLIC OFFICERS**, good men to administer the establishments, manage the institutions, expound and enforce the constitution, and execute the statutes, and so represent the righteousness of the people. In the hands of such men as see the purpose of social and individual life, and feel their duty to keep the integrity of their conscience and obey the law of God, even bad establishments are made to work well, and serve the purpose of human life; because the man puts out the evil of the institution, constitution, or statute, and puts his own righteousness in its place. There was once a judge in New England who sometimes had to administer bad laws. In these cases, he told the jury, "Such is the law, common or enacted; such are the precedents; such the opinions of Judge This and Judge That; but justice demands another thing. I am bound by my oath as judge to expound to you the law as it is; you are bound by oath as jurors to do justice under it; that is your official business here to-day." Such a man works well with poor tools: with good ones he would work much better. By the action of such men, aided by public opinion which they now follow and now direct, without any change of legislation, there is a continual progress of justice in the establishments of a nation. Bad statutes are dropped or corrected, constitutions silently ameliorated, all institutions made better. Thus wicked laws become obsolete. There is a law in England compelling all men to attend church. Nobody enforces it.

Put a bad man to administer the establishments, one who does not aim at the purpose of society, nor feel bound to keep the higher law of God, the best institutions, constitutions, statutes, become ineffectual, because the man puts out the good thereof, and puts in his own evil. The best establishments will be perverted to the worst of purposes. Rome had all the machinery of a commonwealth; with Cæsar at the head, it became a despotism. In 1798, France had the establishments of a republic; with Napoleon for first consul, you know what it became: it soon was made an empire, and the constitution was trodden under foot. In 1851, France has the institutions of a democracy; with Louis Napoleon as chief, you see what is the worth of the provisions for public justice. What was the constitution of England good for under the thumb of Charles I. and James II.? What was the value of the common law, of the trial by jury, of Magna Charta, "such a fellow as will have no sovereign," with a George Jeffries for judge, a James II. for king, and such juries as corrupt sheriffs brought together? They were only a mockery. What were the charters of New England against a wicked king and a corrupt cabinet? Connecticut went out of the court and into the Charter Oak for self-preservation. What were all the institutions of Christianity when Alexander VI. dishonored the seat even of the Pope? Put a saint who feels his duty to keep the law of God in office, even bad rules will work well. But put a man who recognizes no law of God, not into a jail, but in a great office; give him courts and courtiers, fleets and armies, nay, only newspapers and "union committees" to serve him,—you see what will be done. The resolute determination of the people to obey the law of God, the righteousness of their establishments, will be of small avail, frustrated by the wickedness of the men in power. The English Parliament once sent a fleet to aid the Huguenots at Rochelle. King Charles I. gave

the admiral secret orders to surrender his ships to the enemy he was sent to oppose! The purpose of all human life may be as foully betrayed by wicked men in a high place. In a monarchy, the king is answerable for it with his neck; in a republic there is the same danger; but, where all seems to proceed from the people, it may be more difficult to do justice to a wicked officer. So much for the third safeguard, also derivative from the first.

To make a good house, you want good materials,—solid stone, sound bricks, sound timber; a good plan, and also good builders. So, as safeguards of society, to achieve its purpose, you want good material,—a righteous people who will be faithful to their own conscience, and obey God and reverence the law of nature; a good plan,—righteous establishments, institutions, constitutions, statutes conformable to the laws of God; and you want good builders,—righteous officers to represent the eternal justice of the Father. You want this threefold righteousness.

How are we provided with these three safeguards just now? Have we this righteousness in the people?—which is the first thing. Perhaps there is no nation with a higher reverence for justice, and more desire to keep the law of God; at least we have been told so, often enough. I think the nation never had more of it than now; never so much. But here are whole classes of men who practically seem to have no reverence for God's law; who declare there is no such thing; whose conduct is most shamefully unrighteous in all political matters. They seek to make us believe there is no law above the caprice of man. Of such I will speak by and by.

It is plain there is not righteousness enough in the people to hinder us from doing what we know is contrary to the law of God. Thus, we keep one-sixth part of the people in a state of slavery. This we do in violation of our own

axiom, declared to be self-evident, that all men are created equal, endowed by their Creator with the unalienable right to life, liberty, and the pursuit of happiness. We have here three millions of slaves: if things go on as now, there will be twelve millions before the century ends. We need not say we cannot help it. Slavery in America is as much our work as democracy, as free schools, as the Protestant form of religion. At the Declaration, we might have made the slaves free; at the time of the Confederation; at the formation of the Constitution. But no! there was not righteousness enough in the people to resist the temptation of eating the bread which others earn. American slavery has always been completely in the power of the American people. We may abolish it any time we will. We might have restricted it to the old States, which had it before, and so have kept it out of Kentucky, Tennessee, Louisiana, Mississippi, Alabama, Florida, and all that mighty realm west of the great river. No! we took pains to extend it there. We fought with Mexico to carry slavery into the "halls of the Montezumas," whence a half-barbarous people drove it away. We long to seize on Cuba, and yet other lands, to plant there our "American institution." We are indignant when Austria unjustly seizes an American in Hungary, and hales him to prison; but have nothing to say when slave-states systematically confine the colored freemen of the North, or when Georgia offers a large reward for the head of a citizen of Boston. We talk of the "pauper-labor of Europe." It is pauper-labor, very much of it. I burn with indignation at the men who keep it so. But it is not slave-labor. Paupers spin cotton at Manchester and at Glasgow, say the Whigs. Who raises cotton at South Carolina and Mississippi? The spoil of the slave is in our houses. We are a republic, but the only nation of the Christian world whose fields are tilled by chattel-slaves. To such a degree has covetousness blinded the eyes of the whole nation. In

saying all this, I will not say that we are less righteous than other nations. No other people has had the same temptation. It has been too great for America. Slavery is loved as well in Boston as in New Orleans. The love of liberty is strong with us; but it is liberty for ourselves we love, not for our brother-man whom we can oppress and enthrall. This vice is not confined to the South. I look on some of the clergymen of the North as only chaplains of the slave-driver.

Look at the next safeguard of society. Setting aside the institution of slavery, and the statutes relating thereto, I think we have the most righteous establishments in the world. By no means perfect, they produce the greatest unity of action in the individuals, the greatest unity of action in society, and afford an opportunity to achieve the purpose of social and individual life. Here is the great institution of democracy, the government of all, by all and for all, resting on the American idea, that all men have natural rights which only the possessor can alienate; that all are equal in their rights; that it is the business of government to preserve them all for each man. Under this great institution of a free state, there naturally come the church, the school, the press, — all free. In politics, and all depending thereon, we are coming to recognize this principle, that restraint is only to be exercised for the good of all, the restrainer and the restrained.

Let me single out two excellent institutions, not wholly American, — the contrivance for making laws, and that for executing them. To make laws, the people choose the best men they can find and confide in, and set them to this work. They aim to take all the good of past times, of the present times, and add to it their own private contribution of justice. Each state-legislature is a little political academy for the advancement of jural science and art. They get the wisest and most humane men to aid them. Then, after much ela-

boration, the law is made. If it works well in one state, it is soon tried in others; if not, it is repealed, and ceases to be. The experience of mankind has discovered no better way than this of popular legislation, for organizing the ideal justice of the people into permanent forms. If there is a man of moral and political genius in the community, he can easily be made available to the public. The experiment of popular legislation has been eminently successful in America.

Then, still further, we have officers chosen by the people for a limited time, to enforce the laws when made,—the executive; others to expound them,—the judiciary. It is the official business of certain officers to punish the man who violates the laws. In due and prescribed form, they arrest the man charged with the offence. Now, two things are desirable: one to protect society, in all its members, from injury by any one acting against its just laws; the other is to protect the man complained of from being hurt by government, when there is no law against him, or when he has not done the deed alleged, or from an unjust punishment, even if it be legal. In despotic countries, little is thought of this latter; and it goes hard with a man whom the government complains of, even if there is no positive statute against the crime charged on him, or when he is innocent of the deed alleged. Nothing can screen him from the lawful punishment, though that be never so unjust. The statute and its administration are a rule without mercy. But, in liberal governments, a contrivance has been devised to accomplish both these purposes,—the just desire of society to execute its laws; the just desire of the individual to have justice done. That is the trial by a jury of twelve men, not officers of the government, but men taken for this purpose alone from the bosom of the community, with all their human sympathies and sense of responsibility to God about them. The jury are to answer in one word, “guilty,” or “not guilty.” But it is

plain they are to determine three things: first, Did the prisoner do the deed alleged, and as alleged? next, if so, Is there a legal and constitutional statute forbidding it, and decreeing punishment therefor? and then, if so, Shall the prisoner for that deed suffer the punishment denounced by that law?

Human statutes partake of human imperfections. See the checks against sudden, passionate, or unjust legislation. We choose legislators, and divide them into two branches, a Senate and a House of Representatives, each to aid and check the other. If a bill pass one house and seem unjust to the other, it is set aside. If both approve of it, a third person has still a qualified negative; and, if it seem unjust to him, he sets it aside. If it passes this threefold ordeal, it becomes a statute of the land. See the checks in the execution of the laws which relate to offences. Before they can be brought against any man, in any matter beyond a trifle, a jury of his peers indict him for the offence. Then, before he can be punished, twelve men of his peers must say with one accord, "You shall inflict the penalties of the statute upon this man."

This trial by jury has long been regarded as one of the most important of the secondary safeguards of society. It has served to defend the community against bad citizens, and the citizens against an evil establishment,—bad institutions, bad constitutions, bad statutes; against evil officers,—bad rulers, bad judges, bad sheriffs. If the community has much to fear from bad citizens, here is the offensive armor, and the jury do not bear the sword in vain. If its citizens have much to fear from a wicked government, oppressive, grasping, tyrannical, desirous of pretending law where there is none, declaring "ship-money" and other enormities constitutional, or pressing a legal statute beyond justice, making it treason to tell of the wickedness of officers,—here is the defensive armor, and the jury do not bear in vain the shield of the citizen. Sometimes the citizens have

more to fear from the government than from all other foes. Louis XIV. was a great robber, and plundered and murdered more of his subjects than all the other alleged felons in the sixteen millions of Frenchmen. The honest burghers of Paris had more to fear from the monarch in the Tuileries than from the murderer in the Faubourg St. Antoine, or the cut-purse in the Rue St. Jacob. Charles I. was a more dangerous enemy to our fathers in England and America than all the other thieves and murderers in the realm. What were all the Indians in New England, for peril to its Christian citizens, compared to Charles II. and his wicked brother? What was a foot-pad to Henry VIII.? He plundered a province, while the robber only picked a pocket. The trial by jury has done manly service. It was one of the first bulwarks of human society, then barbarous and feeble, thrown up by the Germanic tribe which loved order, but loved justice too. It is a line of circumvallation against the loose, unorganized wickedness of the private ruffian; a line of contravallation also against the organized wickedness of the public government. It began before there were any regular courts or written laws; and, ever since, it has done great service when corrupt men in high places called a little offence treason; when corrupt judges sought to crush down the people underneath oppressive laws to advance themselves; and when corrupt witnesses were ready to "enlarge" their testimony so as to "despatch" the men accused; yea, to swear black was black, and then, when the case seemed to require it, swear white was black. Any man who reads the history of England under the worst of kings, the worst of ministers, the worst of judges, and with the worst of witnesses, and compares it with other nations, will see the value of the trial by jury as a safeguard of the people. The bloody Mary had to punish the jurors for their verdict of acquittal, before she could accomplish her purposes of shame. George III., wishing to collect a reve-

nue in the American colonies, without their consent or any constitutional law, found the jury an obstacle he could not pass over. Attorneys might try John Hancock for smuggling in his "sloop Liberty:" no jury would convict. The tea, a vehicle of unjust taxation, went floating out of Boston Bay in a most illegal style. No attempt was made to try the offenders; the magistrates knew there was a jury who would not convict men for resisting a wicked law. Men must be taken "over seas" for trial by a jury of their enemies, before the wicked laws of a wicked ministry could be brought upon the heads of the resolute men of America.

It is of great importance to keep this institution pure; to preserve its spirit, with such expansion as the advance of mankind requires. Otherwise, the laws may be good, the constitutions good, institutions good, the disposition of the people good; but, with a wicked minister in the cabinet, a wicked judge on the bench, a wicked attorney at the bar, and a wicked witness to forswear himself on the stand, — and all these can easily be had; you can purchase your wicked witnesses; nay, sometimes one will volunteer and "enlarge his testimony," — a man's life and liberty are not safe for a moment. The administration may grasp any man at will. The minister represents the government; the judge, the attorney, all represent the government. It has often happened that all these had something to gain by punishing unjustly some noble man who opposed their tyranny, and they used their official power to pervert justice and ruin the state, that they might exalt themselves. The jury does not represent the government, but "the country;" that is, the justice, the humanity, the mercy of mankind. This is its great value.

Have we the third safeguard, righteous officers? I believe no nation ever started with nobler officers than we chose at first. But I think there has been some little change from Washington down through the Tylers and the Polks to

the present administration. John Adams, in coming to the presidency, found his son in a high office, and asked his predecessor if it were fit for the president to retain his own son in office. Washington replied, It would be wrong for you to appoint him; but hopes he will not be discharged from office, and so the country be deprived of his valuable services, merely "because he is your son"!* What a satire is this on the conduct of men in power at this day! We have had three "second General Washingtons" in the presidential chair since 1829; two new ones are now getting ready, "standing like greyhounds in the slips, straining, upon the start," for that bad eminence. These three past and two future "Washingtons" have never displayed any very remarkable family-likeness to the original—who left no descendant—in this particular.† I pass over the general conduct of our executive and judicial officers, which does not seem to differ much from that of similar functionaries in England, in France, in Italy, Austria, Turkey, and Spain. But I must speak of some special things in the conduct of some of these persons,—things which ought to be looked at on such a day as this, and in the light of religion. Attempts have lately been made in this city to destroy the juror's power to protect the citizen from the injustice of government,—attempts to break down this safeguard of individual liberty. We have seen a judge charge the grand jury, that, in case of conflict between the law of God and the statutes made by men, the people must "obey both." Then we have seen an attempt made by the government to get a partial jury, who should not represent the country, but

* See the letter of Washington in Cunningham's Correspondence.

† In these times of political corruption, when a postmaster in a country village is turned out of office for voting for a representative to Congress who exposed the wickedness of a prominent member of the cabinet, it is pleasant to read such letters as those of Washington to Benjamin Lincoln, March 11, 1789, and to Bushrod Washington, July 27, 1789, in Sparks's Writings of Washington, vol. ix. p. 477, *et seq.* and x. p. 73, *et seq.*

should have prejudices against the prisoner at the bar. We have seen a man selected as foreman of the jury who had previously, and before witnesses, declared that all the persons engaged in the case which was to come before him "ought to be hung." We have seen a man discharged from the jury, after he had taken the juror's oath, because he did not seem likely to "despatch" the prisoner, as the government desired. This is not all: the judge questions the jurors before their oath, and refuses to allow any one to be empanelled who doubts the constitutionality of the Fugitive Slave Law. Even this is not the end: he charges the jury thus selected, packed, picked, and winnowed, that they are to take the law as he lays it down; that they are only judges of the fact, he exclusively of the law; and, if they find that the prisoner did the deed alleged, then they must return him "guilty" of the offence charged. I am no lawyer: I shall not speak here with reference to usages and precedents of the past, only with an eye to the consequences for the future. If the court can thus select a jury to suit itself, mere creatures of its own, what is the use of a jury to try the fact? See the consequences of this decision, that no man shall serve as juror who doubts the constitutionality of a law, and that the jurors are not judges of the law itself, as well as the fact. Let me suppose some cases which may happen. The constitution of the United States provides that Congress shall not prohibit the free exercise of religion. Suppose that Congress should pass a law to punish any man with death who should pray to the "Father, Son, and Holy Ghost." The government wishes to punish an obnoxious orthodox minister for violating this "form of law." It is clearly unjust; but the judge charges the grand jury they are to "obey both" the laws of God and the statutes of men. The grand jury indict the man. He is brought for trial. The law is obviously unconstitutional; but the judge expels from the jury all who think the law is uncon-

stitutional. He selects the personal enemies of the accused, and finds twelve men foolish enough or wicked enough to believe it is constitutional to do what the constitution declares must not be done; and then proceeds to trial, selecting for foreman the man who has said, "All men that thus pray ought to be hung"! What is the value of your constitution? The jury might convict, the judge sentence, the president issue his warrant, and the man be hanged in twenty-four hours, for doing a deed which the constitution itself allows, and all Christendom daily practises, and the convictions of two hundred million men require!

It is alleged the jury must not judge of the law, but only of the fact. See the consequences of this principle in several cases. The Secretary of State has declared the rescuing of Shadrach was "treason," and, of course, punishable with death. Suppose the court had charged the jury, that to rescue a man out of the hands of an incompetent officer — an offence which in Boston has sometimes been punished with a fine of five dollars — was "levying war" against the United States, and they were only to find if the prisoner did the deed; and, if so, return a verdict of guilty. Suppose the jury are wicked enough to accept his charge, where is the protection of the citizen? The government may say, to smuggle goods into Boston Harbor is "levying war," and hang a man for treason who brings on shore an ounce of camphor in his pocket without paying duties! Is not the jury, in such a case, to judge what the law makes treason? — to decide for itself?

There was once a law making it felony without benefit of clergy to read the Bible in the English language. Suppose the government, wishing to make away with an obnoxious man, should get him indicted next term for this offence, and the judge should declare that the old law is still in force. Is the jury not to judge whether we live under the bloody Mary or the Constitution of Massachusetts? —

whether what was once law is so now? If not, then the laws of King Darius or King Pharaoh may be revived whenever Judge Hategood sees fit, and Faithful must hang for it.

Suppose the judge makes a law himself, declaring that, if any one speaks against the justice of the court, he shall be whipped with forty stripes save one, and gets a man indicted under it and brought to trial—is the jury not to judge if there be such a law? Then we might as well give up all legislation, and leave all to the “discretion of the court.”

A judge of the United States Court was once displaced on account of mental imbecility. Was Judge Simpleton to determine what was law, what not, for a jury of intelligent men? Another judge, not long ago, in his place in court, gave an opinion in a most important affair, and was drunk when he gave it. I do not mean he was horizontally drunk, but only so that his friends feared “he would break down in court, and expose himself.” Was the opinion of a drunken judge to be taken for law by sober men? Suppose the judge is not a simpleton nor a drunkard, but is only an ordinary lawyer and a political partisan, and appointed to his office because he is a fawning sycophant, and will interpret the law to suit the ambition of the government. Is he to lay down the law for the jurors who aim only to live in honorable morality, to hurt no one, and give every man his due? Suppose the attorneys at the bar know the law better than the attorney on the bench,—a thing that daily happens,—are not the jurors to decide for themselves? I have chosen fictitious cases to try the principle. Extreme cases make shipwreck of a wicked law, but are favoring winds to bring every just statute into its happy harbor at the last. Will you say we are not likely to suffer from such usurpation? You know what we have suffered within three months past. God only knows what is to come. But no man is ever to seek for a stick if he wishes to beat a dog, or

for a cross if he would murder his Saviour. The only way to preserve liberty is by eternal vigilance: we must be jealous of every president, every minister, every judge, every officer from a king to the meanest commissioner he appoints to kidnap men. You have seen the attempts made to sap and undermine one of the most valuable safeguards of our social welfare,—seen that it excited very little attention; and I wish to warn you of the danger of a false principle. I have waited for this day to speak on this theme. Executive tyranny, with soldiers at its command, must needs be open in its deeds of shame. It may waste the money of the public which cleaves to the suspected hands of its officers: it is not so easy to get the necks of those it hates; for we have no Star-chamber of democracy, and here the executive has not many soldiers at command, must ask before it can get them. It did ask, and got “no” for answer. Legislative tyranny must needs be public, and is easily seen. But judicial tyranny is secret, subtle, unseen in its action; and all experience shows it is one of the most dangerous forms of tyranny. A corrupt judge poisons the wells of human society. The traditionary respect entertained here for an office which has been graced by some of the noblest men in the land, doubles our danger.

But an attack is made on another safeguard of society, yet more important. We have been told that there is no law higher than a human statute, no law of God above an act of the American Congress. You know how this doctrine of the supremacy of the lower law has been taught in the high places of the state, in the high places of the church, and in the low places of the public press. You know with what sneers men have been assailed who appealed to conscience, to religion, and said, “The law of God is supreme; above all the enactments of mortal men.” You have been witness to attempts to howl down the justice of the Almighty. We have had declamation and

preaching against the law of God. It is said the French Assembly, some fifty or sixty years ago, voted that there should be no public worship of God; that there was no God to worship; but it was left for politicians and preachers of America, in our time, to declare that there is no law above the caprice of mortal men. Did the French "philosophers" decree speculative atheism? the American "wise men" put it in practice. They deny the function of God. "He has nothing to do with mankind." This doctrine is one of the foulest ever taught, and tends directly to debauch the conscience of the people. What if there were no law higher than an act of parliament? what would become of the parliament itself? There is such a thing conceivable as personal, speculative atheism. I think it is a very rare thing. I have never known an atheist: for, with all about us speaking of God; all within us speaking of him; every telescope revealing the Infinite Mind in nebulae resolved to groups of systems of suns; every microscope revealing the Infinite Father, yea, Mother of the world, in a drop of water, a grain of perishing wood, or an atom of stone; every little pendulum revealing his unchanging law on a small scale; and this whole group of solar systems, in its slow and solemn swing through heavenly space, disclosing the same law on a scale which only genius at first can comprehend,—it is not easy to arrive at personal, speculative atheism. It would be a dreadful thing, the stark denial of a God. To say there is no infinite Mind in finite matter, no order in the universe, in providence only a fate, no God for all, no Father for any, only an inextinguishable nothing that fills the desert and illimitable ether of space and time, the whence and whither of all that are,—such a belief is conceivable; but I do not believe that there is a single atheist living on the whole round world. There is no general danger of personal, speculative atheism. When M. Lalande declared that he saw no God through his telescope, though he meant not to deny the real

God of nature, the world rang with indignation at an astronomer undevout and mad. But practical, political atheism has become a common thing in America, in New England. This is not a denial of the essence of God and his being, but of his function as Supreme Ruler of the church, of the state, of the people, of the universe. Of that there is danger. The devil of ambition tempts the great man to it; the devil of covetousness, the little man. Both strike hands, and say, "There is no higher law;" and low men lift up their mean foreheads in the pulpits of America, and say, "It is the voice of a god, and not of a man. There is no higher law." The greatest understanding of this land, with haughty scorn, has lately said, "The North Mountain is very high; the Blue Ridge, higher still; the Alleghanies, higher than either; and yet this 'higher law' ranges farther than an eagle's flight above the highest peaks of the Alleghanies."* The impious taunt is received with "laughter" by men who have long acted on the maxim that there is no law of God, and whose State is impoverished by the attempt to tread His law under foot. I know men in America have looked so long at political economy that they have forgotten political morality, and seem to think politics only national housekeeping, and he the best ruler who buys cheapest and sells dearest. But I confess I am amazed when statesmen forget the lessons of those great men that have gone before us, and built up the social state, whose "deep foundations have been laid with prayer." What! is there no law above the North Mountain; above the Blue Ridge; higher than the Alleghanies? Why, the old Hebrew poet told us of One "which removeth the mountains, and they know not; which overturneth them in his anger; which alone spreadeth out the heavens, and treadeth upon the waves of the sea. Lo! he goeth by me, and I see him not; he passeth on also, but I perceive him not."

* Speech at Capron Springs.

Yes, there is One — his law “an eagle’s flight above the Alleghanies” — who humbleth himself to behold the things that are in heaven, whose strong hand setteth fast the mountains; yea, One who hath weighed the mountains in scales; before whom all nations are as a very little thing. Yes, Father in heaven! before the mountains were brought forth, or ever thou hadst formed the earth and the world, even from everlasting to everlasting, thou art God. Yea, thou hast been our dwelling-place in all generations. Thy name alone is excellent; thy glory above the earth and heaven!

No higher law for states than the poor statutes they enact!

“ Among the assemblies of the great
 A greater Ruler takes his seat;
 The God of heaven as Judge surveys
 These ‘gods of earth’ and all their ways: —
 ‘ Why will you frame oppressive laws?
 Or why support the unrighteous cause?
 When will you once defend the poor,
 That foes may vex the saints no more?’
 They know not, Lord, nor will they know;
 Dark are the ways in which they go;
 Their name of ‘earthly gods’ is vain,
 For they shall fall and die like men.”

It would be a great calamity for this nation to lose all of its mighty riches, and have nothing left but the soil we stand on. But, in seven or eight generations, it would all be restored again; for all the wealth of America has been won in less time. We are not two hundred and fifty years from Jamestown and Plymouth. It would be a great misfortune to lose all the foremost families of the nation. But England lost hers in the War of the Roses; France, in her Revolution. Nature bore great men anew, and fresh families sprung up as noble as the old. But, if this generation in America could believe that there was no law of God for you and me to keep, — say the acts of Congress what they might say, — no law to tame the ambition of men of

mountain-greatness, and curb the eagle's flight of human tyranny, that would be a calamity which the nation would never recover from. No, then religion would die out; affection fall dead; conscience would perish; intellect give up the ghost, and be no more. No law higher than human will! No watchmaker can make a long pendulum vibrate so quick as a short. In this very body there is that law. I wake and watch and will; my private caprice turns my hand, now here, now there. But who controls my breath? Who bids this heart beat all day long, and all the night, sleep I or wake? Whose subtle law holds together these particles of flesh, of blood, and bone in marvellous vitality? Who gives this eye its power to see, and opens wide the portal of the ear? and who enchants, with most mysterious life, this wondrous commonwealth of dust I call myself? 'Tis the same Hand whose law is "higher than the Blue Ridge," an "eagle's flight above the Alleghanies." Who rules the state, and, out of a few stragglers that fled here to New England for conscience' sake, built up this mighty, wealthy state? Was it Carver and Winthrop who did all this; Standish and Saltonstall? Was it the cunning craftiness of mightiest men that consciously, well knowing what they did, laid the foundations of our New England state and our New England church? Why, the boys at school know better. It was the eternal God, whose higher law the Pilgrim and the Puritan essayed to keep, not knowing whereunto the thing would grow. Shall the fool say in his heart there is no God? He cannot make a hair grow on his head but by the eternal law of his Father in heaven. Will the politician say there is no law of God for states? Ask the sorrowing world; let Austria and Hungary make reply. Nay, ask the Southern States of America to show us their rapid increase in riches, in civilization; to show us their schools and their scholars, their literature, their science, and their art! No law of God for states! It is writ on the

iron leaf of destiny, "Righteousness exalteth a nation, but sin is a curse to any people." Let the wicked hand of the South join with the Northern wicked hand, iniquity shall not prosper. But the eye of the wicked shall fail; they shall not escape; their hope shall be as giving up the ghost, because their tongue and their doings are against the Lord, to provoke the eyes of his glory. Their root shall be as rottenness, and their blossom shall go up as dust, if they cast away the law of the Lord, and despise the word of the Holy One.

In America the people are strongly attached to the institutions, constitutions, and statutes of the land. On the whole, they are just establishments. If not, we made them ourselves, and can make them better when we will. The execution of laws is also popular. Nowhere in the world is there a people so orderly, so much attached to law, as the people of these Northern States. But one law is an exception. The people of the North hate the Fugitive Slave Law, as they have never hated any law since the Stamp Act. I know there are men in the Northern States who like it, — who would have invented slavery, had it not existed long before. But the mass of the Northern people hate this law, because it is hostile to the purpose of all just human law, hostile to the purpose of society, hostile to the purpose of individual life; because it is hostile to the law of God, — bids the wrong, forbids the right. We disobey that, for the same reason that we keep other laws; because we reverence the law of God. Why should we keep that odious law which makes us hated wherever justice is loved? Because we must sometimes do a disagreeable deed to accomplish an agreeable purpose? The purpose of that law is to enable three hundred thousand slaveholders to retake on our soil the men they once stole on other soil! Most of the city churches of the North seem to think that is a good thing. Very well: is it worth while for fifteen

million freemen to transgress the plainest of natural laws, the most obvious instincts of the human heart, and the plainest duties of Christianity, for that purpose? The price to pay is the religious integrity of fifteen million men; the thing to buy is a privilege for three hundred thousand slaveholders to use the North as a hunting-field whereon to kidnap men at our cost. Judge you of that bargain.

But I must end this long discourse. The other day I spoke of the vices of passion: great and terrible evils they wrought. They were as nothing to the vices of calculation. Passion was the flesh, ambition the devil. There are vices of democracy, vices of radicalism; very great vices they are too. You may read of them in Hume and Alison. They are painted black as night and bloody as battle in tory journals of England, and the more vulgar tory journals of America. Democracy wrought terrible evils in Britain in Cromwell's time; in France at her Revolution. But to the vices, the crimes, the sins of aristocracy, of conservatism,—they are what the fleeting lust of the youth is to the cool, hard, calculating, and indomitable ambition of the grown man. Radicalism pillaged Governor Hutchinson's house, threw some tea into the ocean; conservatism set up its Stamp Act, and drove America into revolution. Radicalism helped Shadrach out of court; conservatism enacted the Fugitive Slave Bill. Radicalism sets up a republic that is red for six months; conservatism sets up a red monarchy covered with blood for hundreds of years. Judge you from which we have the most to fear.

Such are the safeguards of society; such our condition. What shall we do? Nobody would dare pretend to build a church except on righteousness; that is, the rock of ages. Can you build a state on any other foundation, that house upon the sand? What should you think of a minister of the church who got his deacons together, and made a creed,

and said, "There is no higher law; no law of God. You, laymen, must take our word for your guidance, and do just as we bid you, and violate the plainest commands of conscience"? What would be atheism in a minister of the church,—is that patriotism in a minister of the state? A bad law is a most powerful instrument to demoralize and debauch the people. If it is a law of their own making, it is all the worse. There is no real and manly welfare for a man, without a sense of religious obligation to God; none in the family, none in a church, none in a state. We want righteousness in the people, in their establishments, in their officers. I adjure you to reverence a government that is right, statutes that are right, officers that are right; but to disobey every thing that is wrong. I entreat you by your love for your country, by the memory of your fathers, by your reverence for Jesus Christ, yea, by the deep and holy love of God which Jesus taught, and you now feel.